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KANSAS STATE BOARD OF PHARMACY

BEFORE THE KANSAS BOARD OF PHARMACY

In the Matter of)
)
Kacie Owens)
)
Registration No. 14-107596)

Case No. 19-330

SUMMARY ORDER OF REVOCATION

NOW, on this 19th day of November 2019, comes before the Kansas Board of Pharmacy (the "Board"), through its Executive Secretary, the matter of Kacie Owens ("Respondent").

Pursuant to the authority granted to the Board by the Kansas Pharmacy Act, K.S.A. 65-1625, *et seq.*, and in accordance with the Kansas Administrative Procedure Act, K.S.A. 77-501, *et seq.*, the Board's Executive Secretary enters this Summary Order of Revocation in the above-captioned matter. After reviewing the investigation materials and being otherwise duly advised in the premises, makes the following findings, conclusions and order:

FINDINGS OF FACT

1. The Board has issued Respondent Pharmacy Technician Registration Number 14-107596 authorizing Respondent to perform the functions of a pharmacy technician in the State of Kansas ("Respondent's Registration").
2. At all times relevant hereto, Respondent worked as a technician for Walgreens Pharmacy location at 3150 S Seneca St in Wichita, Kansas ("Walgreens #5770").
3. On or about May 23, 2019, the Board received information from the Kansas Bureau of Investigation that Respondent had been arrested on May 17, 2019 for misdemeanor theft and felony drug distribution.

4. On May 23, 2019, the Board sent a letter to Respondent's address of record requesting a completed Personal History Form S-150 and certified copies of any relevant court documents, and assigned the case to the Board's inspector for investigation.

5. On May 30, 2019, the Board's letter to Respondent was returned as unable to forward due to a bad address.

6. On June 5, 2019, the Board sent an email to Respondent's email address of record requesting a completed Personal History Form S-150 and certified copies of any relevant court documents.

7. On June 27, 2019, the Board received a notification of the theft/loss of controlled substances from Walgreens #5770 on May 17, 2019. The notification indicated a police report had been filed with the Wichita Police Department as a result of employee pilferage, and that Respondent's employment had been terminated. The notification was forwarded to the Board inspector's investigation.

8. On June 28, 2019, the Board's inspector received from Walgreens' Asset Protection Manager a written statement given by Respondent on May 17, 2019, in which she admitted to stealing Alprazolam 2mg from Walgreens #5770 in an attempt to make money, took ownership for her actions, and agreed to pay the purchase value of \$1,396.76 for the 711 tablets she had pilfered.

CONCLUSIONS OF LAW

1. That pursuant to K.S.A. 65-1663 the Board may limit, suspend, or revoke a registration or deny an application for issuance or renewal of any registration as a pharmacy technician on any ground which would authorize the board to take action against the license of a pharmacist under K.S.A. 65-1627, and amendments thereto.

2. That the Board may take action against the license of a pharmacist for unprofessional conduct or professional incompetency as set forth in K.S.A. 65-1627(a)(3).

3. That K.S.A. 65-1626(uuu) defines unprofessional conduct to include the unlawful possession of drugs and/or conduct likely to deceive, defraud, or harm the public.

4. Respondent's conduct in stealing drugs from her employer and Respondent's disregard for the potential harmful effects of her action to the public are violations of K.S.A. 65-1627(a)(3) and are bases to revoke Respondent's Registration.

ORDER

Based upon the foregoing findings of fact and conclusions of law, Respondent's Registration is hereby REVOKED.

NOTICES

The Respondent is hereby notified as follows:

1. The Respondent may request a hearing pursuant to the Kansas Administrative Procedure Act by filing a written request with the Kansas Board of Pharmacy, 800 SW Jackson, Suite 1414, Topeka, KS 66612-1231 within fifteen (15) days after service of this order.

2. If a hearing is not requested as described above, the Order shall become a final order of the Board, effective upon the expiration of the time to request a hearing.

3. Within fifteen (15) days after entry of a final agency order, either party may file a petition for reconsideration pursuant to K.S.A. 77-529.

4. Within the time limits established in K.S.A. 77-613, either party may seek judicial review of a final agency order, pursuant to said statute. The agency officer designated to receive service of a petition for judicial review is:

Alexandra Blasi
Executive Secretary
Kansas Board of Pharmacy
800 SW Jackson, Suite 1414
Topeka, KS 66612

IT IS SO ORDERED.

11/19/19

Date

Alexandra Blasi

Alexandra Blasi, JD, MBA
Executive Secretary
Kansas Board of Pharmacy

CERTIFICATE OF SERVICE

I hereby certify that I did, on the 19th day of November 2019, deposit in business mail a copy of the foregoing Summary Order, which is then placed in the United States Mail, postage prepaid, properly addressed to the following:

KACIE OWENS
1126 LEWELLEN
WICHITA, KS 67203



Kansas Board of Pharmacy Staff